



IAP15 Rec'd PCT/PTO 07 DEC 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: THOME7

In re Application of:
Caryl THOME et al.
Serial No. 10/576,323
IA Filing Date: October 19, 2004
For: AN EXHAUST DUCT FOR A ROTARY SPRAYER...

) Application Division
) **ATTN: PCT**
) Washington, D.C.
) Confirmation No. 6922
) Date: December 7, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF INSUFFICIENT FEES..." dated October 30, 2006. Attached hereto is/are:

- ☒ A Preliminary Amendment ☒ Fees are reduced due to elimination of claim multiple dependencies.
☐ Additional fees as calculated below:

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$0.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
10- 20 =	0	X \$ 50.00	\$
1- 3 =	0	X \$200.00	
Multiple Dependent Claims (if applicable)		+ \$360.00	
TOTAL OF ABOVE CALCULATIONS			\$0.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			<\$ >
SUBTOTAL			\$0.00
Processing fee of \$130.00 for late furnishing of the English translation.			\$
TOTAL NATIONAL FEE			\$0.00

- ☐ Surcharge for late filing of the Declaration was paid on _____.
☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
Response Filed Within
☐ First - \$ 60.00
☐ Second - \$ 225.00
☐ Third - \$ 510.00
☐ Fourth - \$ 795.00
☐ Fifth - \$1,080.00

month after time period set

Other Than Small Entity
Response Filed Within
☐ First - \$ 120.00
☐ Second - \$ 450.00
☐ Third - \$1,020.00
☐ Fourth - \$1,590.00
☐ Fifth - \$2,160.00

month after time period set

- ☐ Total fees enclosed: \$0.00

- ☐ Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$0.00 is enclosed to cover the above fees.

- ☒ Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- ☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:


Jay M. Finkelstein
Registration No. 21,082

JMF:dac
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UNITED STATES PATENT AND TRADEMARK OFFICE

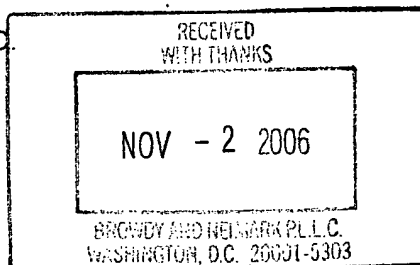


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U.S. APPLICATION NUMBER NO. 10/576,323	FIRST NAMED APPLICANT Caryl Thome	ATTY. DOCKET NO. THOME7
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001444
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 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



INTERNATIONAL APPLICATION NO. PCT/FR04/02674	
I.A. FILING DATE 10/19/2004	PRIORITY DATE 10/20/2003

CONFIRMATION NO. 6922
 371 FORMALITIES LETTER



OC000000021021305

Date Mailed: 10/30/2006

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/19/2006
- English Translation of the IA filed on 04/19/2006
- Copy of the International Search Report filed on 04/19/2006
- Information Disclosure Statements filed on 04/19/2006
- Oath or Declaration filed on 04/19/2006
- Request for Immediate Examination filed on 04/19/2006
- U.S. Basic National Fees filed on 04/19/2006
- Priority Documents filed on 04/19/2006
- Specification filed on 04/19/2006
- Claims filed on 04/19/2006
- Abstracts filed on 04/19/2006
- Drawings filed on 04/19/2006

MSP = 30 DE 2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$360** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$360** for a Large Entity:

- Total additional claim fee(s) for this application is \$ 360

- \$360 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,323	PCT/FR04/02674	THOME7